IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.2 OF 2004
IN
ARBITRATION APPEAL NO.10 OF 2004

Union of India ..Appellants.

Vs.

M/s.S.S.Gadhoke & Sons ..Respondent.

Mr.S.R.Rajguru i/b.Dr.J.C.Kaushik, Advocate for the Appellants.

Mr.K.V.Tambe, Advocate for the Respondent.

CORAM: S.U.KAMDAR, J.
DATED: 22ND DECEMBER, 2004

P.C. :

Appeal admitted.

3. In the present case, the trial Court has passed a decree in terms of part of the award when admittedly, the award is under challenge by the Respondents themselves by filing Petition under section 30 of the Arbitration and Conciliation Act, 1940.

4. In so far as the Appellants are concerned, the Appellants have filed suit seeking a decree in terms of the award but no decree has been passed in their

suit on the ground that the award is under challenge by the Respondents. However, on the application of the Respondents, a decree is passed in terms of part of the award while kept the entire challenge pending before the trial Court.

5. In the light of the aforesaid fact, interim order is required to be passed. Hence, interim order in terms of prayer clause (a) of the Civil Application.